

REMARKS

Claims 2-16, 22-51, 54-56, 65-69, 75-86, 91 and 92 are presently pending in this application. Claims 1, 17-21, 57-64 and 70-74 have been cancelled in this paper, and claims 52, 53 and 87-90 were cancelled in a previous paper. Claims 12 and 65 have been amended in independent form, and claim 47 has been amended regarding an informal change. Claims 2-9 have been amended to depend from claim 12. The amendments to claims 2-9, 12, 47 and 65 are not narrowing amendments made for the purpose of patentability. Claims 91 and 92 are new claims that have been added to the application in this paper. The undersigned representative would like to thank Examiner Wilkins for conducting a telephone interview on 13 September 2005. This paper constitutes the Interview Summary of this telephone interview as set forth below.

The status of the claims in light of the Office Action dated 10 May 2005 is as follows:

(A) Claims 1-51 and 54-86 were rejected under 35 U.S.C. § 102(e) over each of U.S. Patent No. 6,916,412 (paragraph 7 of the Office Action), U.S. Patent No. 6,660,137 (paragraph 9 of the Office Action), U.S. Publication No. US2002/0125141 (paragraph 10 of the Office Action), U.S. Publication No. US2003/0038035 (paragraph 11 of the Office Action), and U.S. Patent No. 6,565,729 (paragraph 12 of the Office Action);

(B) Claims 1 and 5-7 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,391,166 issued to Wang ("Wang");

(C) Claims 2-4, 8-11, 17-21, 57-64 and 70-73 were rejected under 35 U.S.C. § 103 over Wang in combination with various other references;

(D) Claims 12-16, 22-51, 54-56, 65-69 and 74-86 were indicated as including subject matter allowable over Wang (paragraph 23 of the Office Action).

A. Response to Section 102(e) Rejections – Priority Based Rejections

Claims 1-51 and 54-86 were rejected under 35 U.S.C. § 102(e) over U.S. Patent No. 6,916,412; U.S. Patent No. 6,660,137; U.S. Patent No. 6,565,729; U.S. Publication No. US2002/0125141; and U.S. Publication No. US2003/0038035. During the telephone interview on 13 September 2005, the pending claims and these references were discussed. More specifically, agreement was reached that the Section 102(e) rejections of claims 12-16, 22-51, 54-56, 65-69 and 74-86 over the references identified in paragraphs 7-12 of the Office Action should be withdrawn.

With respect to the rejection based on U.S. Patent No. 6,916,412, the effective filing date for the subject matter cited by the Examiner to support this rejection is after the effective filing date of the claimed subject matter in the present application. Therefore, agreement was reached that the Section 102(e) rejection of the pending claims based on U.S. Patent No. 6,916,412 should be withdrawn.

With reference to the rejection based on U.S. Patent No. 6,660,137, the undersigned explained that the present application is a continuation-in-part of the application that issued as the '137 Patent. As a result, if the pending claims are supported by the '137 Patent, then this reference is not prior art under Section 102(e). On the other hand, if the pending claims are not supported by the '137 Patent, it can only be used as a basis for a rejection under Section 103. However, the '137 Patent cannot be used to reject the claims under Section 103 because (a) it qualifies as prior art only under Section 102(e), and (b) the subject matter of the claimed invention and the '137 Patent were either owned by Semitool, Inc. or subject to an obligation of assignment to Semitool, Inc. at the time the claimed invention was made. Therefore, agreement was also reached that the rejection of the pending claims under Section 102(e) over '137 Patent should be withdrawn.

With reference to the rejection based on U.S. Patent No. 6,565,729, the effective filing date of the subject matter cited by the Examiner to support this rejection corresponds to that of the '137 Patent. Therefore, for the reasons explained above with respect to the

'137 Patent, agreement was also reached that the rejection of the pending claims under Section 102(e) over the '729 Patent should be withdrawn.

With respect to the rejection based on U.S. Publication No. US2002/0125141, the effective date of the subject matter cited by the Examiner to support this rejection is also the same as that of the '137 Patent. Therefore, agreement was reached that the rejection of the pending claims under Section 102(e) over U.S. Publication No. US2002/0125141 should be withdrawn.

With reference to the rejection based on U.S. Publication No. US2003/0038035, the effective filing date of the subject matter cited by the Examiner to support this rejection is 30 May 2001 as noted by the Examiner. The priority claim of the present application has been amended in this paper to claim priority to the application of the U.S. Publication No. US2003/0038035. Therefore, as agreed upon in the telephone interview, this rejection is now moot.

B. Response to Section 102(e) Rejection – Wang

Claims 1 and 5-7 were rejected under 35 U.S.C. § 102(e) over Wang. The rejection of claim 1 over Wang is now moot because this claim has been cancelled. The rejection of claims 5-7 should be withdrawn because these claims have been amended to depend from amended independent claim 12, and claim 12 was indicated as being patentable over Wang on the grounds that there is no motivation to modify Wang to use the claimed interface member. Therefore, the rejection of claims 5-7 under Section 102(e) over Wang should be withdrawn.

C. Response to Section 103 Rejections

Claims 2-4, 8-11, 17-21, 57-64 and 70-73 were rejected under 35 U.S.C. § 103 over Wang in combination with other references. The rejections of claims 17-21, 57-64 and 70-73 are now moot because these claims have been cancelled in this paper. Additionally,

the rejections of claims 2-4 and 8-11 should be withdrawn because these claims have been amended to depend from independent claim 12.

D. Allowable Subject Matter

The applicants would like to thank the Examiner for indicating that claims 12-16, 22-51, 54-56, 65-69 and 74-86 are patentable over Wang. The applicants would further like to thank the Examiner for clarifying the Examiner's interpretation of Wang. The applicants agree with the Examiner's assessment that there is no motivation to modify Wang to come up with pending claims, but the applicants believe that several of the pending claims are further allowable over Wang for additional reasons based upon the additional subject matter of such claims. Furthermore, the applicants do not concede that any of the claims presented in the prosecution of this application are anticipated by Wang or obvious in light of Wang. Therefore, the applicants expressly reserve the right to pursue the cancelled claims in a continuation application.

In light of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the cited art. The applicants accordingly request reconsideration of the application and a mailing of a Notice of Allowance. If the Examiner has any questions regarding this application, he is encouraged to contact the undersigned representative at (206) 359-3258.

Dated: 11 October 2005

Respectfully submitted,

By



Paul T. Parker

Registration No.: 38,264

PERKINS COIE LLP

P.O. Box 1247

Seattle, Washington 98111-1247

(206) 359-8000

(206) 359-7198 (Fax)

Attorney for Applicant